



04-11-05

JPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Spalding and Frisen

SERIAL NUMBER: 10/654,669

EXAMINER: Not Yet Assigned

FILING DATE: September 3, 2003

ART UNIT: 1637

FOR: *METHOD FOR RETROSPECTIVE BIRTH DATING OF BIOMOLECULES, CELLS, TISSUES, ORGANS
AND ORGANISMS*

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (2 pages), in duplicate;
3. Cited References A1-A2 and C1-C38; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (212) 935-3000.

The Commissioner is authorized to charge any fees that may be due to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 21882-513. Please address all correspondence to customer number **35437**. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Eric Sinn

Ivor Elrifi, Reg. No. 39,529
Eric Sinn, Reg. No. 40,177
Attorneys for Applicants
c/o MINTZ, LEVIN, COHN, FERRIS
GLOVSKY & POPEO P.C.
Chrysler Center
666 Third Avenue, 24th Floor
New York, New York 10017
Phone: (212) 935-3000
Fax: (212) 983-3115

Dated: April 8, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Spalding and Frisen

SERIAL NUMBER: 10/654,669

EXAMINER: Not Yet Assigned

FILING DATE: September 3, 2003

ART UNIT: 1637

FOR: *METHOD FOR RETROSPECTIVE BIRTH DATING OF BIOMOLECULES, CELLS, TISSUES, ORGANS AND ORGANISMS*

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant hereby makes of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-identified application. Accordingly, no fee or certification is believed to be required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims. It is also respectfully requested that the Examiner initial, sign and date, and return a copy of the signed modified Form PTO-1449 with the next U.S. PTO communication, to evidence that the cited information has been fully considered by the U.S. Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the

information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

The order of presentation of the references should not be construed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 21882-513.

Respectfully submitted,



Ivor Elrifi, Reg. No. 39,529
Eric Sinn, Reg. No. 40,177
Attorneys for Applicants
c/o MINTZ, LEVIN, COHN, FERRIS
GLOVSKY & POPEO P.C.
Chrysler Center
666 Third Avenue, 24th Floor
New York, New York 10017
Phone: (212) 935-3000
Fax: (212) 983-3115

Dated: April 8, 2005

NYC 319167v1

Date of Deposit: April 8, 2005

Please type a plus sign (+) in this box

PTO/SB (12-97)
OMB 0651-0031Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Modified Form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Application Number	10/654,669
Filing Date	09/03/03
First Named Inventor	Spalding
Group Art Unit	1637
Examiner Name	Not Yet Assigned
Attorney Docket Number	21882-513

U.S. PATENT DOCUMENTS

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date
	A1	6,010,846	01/04/00	Hellerstein			05/08/98
	A2	6,068,987	05/30/00	Dulski et al.			11/18/99

FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C1	Altman and Das (1965). <i>J. Comp. Neurol.</i> <u>124</u> : 319-335.
	C2	Barnea and Nottebohm (1994). <i>Proc. Natl. Acad. Sci. USA</i> <u>91</u> : 11217-11221.
	C3	Barzilai and Melamed (2003). <i>Trends Mol. Med.</i> <u>9</u> : 126-132.
	C4	Bernier et al. (2002). <i>Proc. Natl. Acad. Sci. USA</i> <u>99</u> : 11464-11469.
	C5	Bonnichsen, R. (2001). <i>J. Archaeological Science</i> <u>28</u> : 775-785.
	C6	Czeh et al. (2001). <i>Proc. Natl. Acad. Sci.</i> <u>98</u> : 12796-12801.
	C7	Eriksson et al. (1998). <i>Nature Medicine</i> <u>4</u> : 1313-1317.
	C8	Gould et al. (1998). <i>Proc. Natl. Acad. Sci.</i> <u>95</u> : 3168-3171.
	C9	Gould et al. (1999). <i>Proc. Natl. Acad. Sci.</i> <u>96</u> : 5263-5267.
	C10	Gould et al. (1999). <i>Science</i> <u>286</u> : 548-552.
	C11	Hamilton et al. (2001). <i>Proc. Natl. Acad. Sci. USA</i> <u>98</u> : 10469-10474.
	C12	Johansson et al. (1999). <i>Cell</i> <u>96</u> : 25-34.
	C13	Kalish et al. (1997). <i>Marine Biology</i> <u>128</u> : 557-563.
	C14	Koketsu et al. (2003). <i>J. Neurosci</i> <u>23</u> : 937-942.
	C15	Korr (1971). <i>J. Comp. Neurol.</i> <u>150</u> : 169-175.
	C16	Levin et al. (1985). <i>Radiocarbon</i> <u>27</u> : 1-19.
	C17	Levin et al., In <i>Radiocarbon After Four Decades: An Interdisciplinary Perspective</i> , Taylor et al. eds., New York: Springer-Verlag, 1992, page 503-518.
	C18	Levin and Kromer (1997). <i>Radiocarbon</i> <u>39</u> : 205-218.
	C19	Lewis (2003). <i>The Scientist</i> <u>17</u> : 22-25.
	C20	Lovell et al. (2002). <i>Neurobiology of Aging</i> <u>23</u> : 179-186.

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C21	McKay (1997). <i>Science</i> 276: 66-71.
	C22	Mok et al. (1986). <i>New Eng. J. Med.</i> 314: 1075-1077.
	C23	Nydal and Lovseth (1983). <i>J. Geophysical Res.</i> 88: 3621-3642.
	C24	Nydal and Lovseth (1997). "Carbon-14 measurements in atmospheric CO2 from northern and southern hemisphere sites, 1962-1993." Environmental Sciences Division, Office of Health and Environmental Research, U.S. Department of Energy, Publication No. 4582.
	C25	Palmer et al. (1997). <i>Mol. Cell. Neurosci.</i> 8: 389-404.
	C26	Parent (2003). <i>The Neuroscientist</i> 9: 261-272.
	C27	Rakic (2002). <i>Nature Reviews</i> 3: 65-71.
	C28	Santarelli et al. (2003). <i>Science</i> 301: 805-809.
	C29	Serra et al. (1986). <i>J. Neurochem.</i> 46: 1881-1887.
	C30	Sheehy, M. (2002). <i>Archives of Gerontology & Geriatrics</i> 34: 233-248.
	C31	Spalding et al. (2002). <i>MCN</i> 19: 485-500.
	C32	Struthers et al. (1998). <i>Analytical Biochem.</i> 255: 20-31.
	C33	Stuiver and Polach (1977). <i>Radiocarbon</i> 19: 355-363.
	C34	Tatebayashi et al. (2003). <i>Acta Neuropathol.</i> 105: 225-232.
	C35	Wieser et al. (2001). <i>Applied Radiation and Isotopes</i> 54: 793-799.
	C36	Wolswijk and Noble (1989). <i>Development</i> 105: 387-400.
	C37	Zhao et al. (2003). <i>Proc. Natl. Acad. Sci. USA</i> 100: 7925-7930.
	C38	International Search Report for PCT/IB03/04511 mailed July 2, 2004.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.